

III. REMARKS

Briefly, this Amendment and Response to the current Office Action presents a Rule 131 Declaration to overcome the primary reference patent cited in the rejection of claims 1-15, amends independent claim 16 to overcome the rejection of claims 16, and 18-19, and cancels claim 17.

Claim Rejection - 35 USC § 112

Claims 16-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner noted in claim 16 it is not clear how the pockets snugly fitted to the skirt. With respect to claim 19, the examiner noted the term "sufficiently closed" has no meaning.

Claim Rejection - 35 USC § 102

Claims 1-2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hedges (US 6,564,941).

Claim Rejection - 35 USC § 103

Claims 3, 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hedges in view of Reynolds (US 5,971,200).

Claims 4-5 and 10-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hedges in view of Markson (US 5,782,360).

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the references applied with respect to claim 6, and in further view of Markson.

Claims 14-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the references applied with respect to claim 12, and in further view of Reynolds.

Claims 16-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waterston et al (US 5,097,975) in view of Official Notice or Malvasio (US 6,138,963)

Response to Rejections & Amendments to the Claims

In response to the 112 rejection, claim 16 has been amended to delete reference to the pockets snugly fitted to the skirt.

In response to the 112 rejection of claim 19, the examiner's attention is directed to the fact that claim 19 was previously amended to delete the phrase "sufficiently closed".

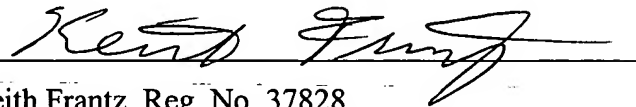
In response to the 103 rejection of claims 16-19, the definition of the leg structure and the interrelationship with the body has been clarified to patentably distinguish other the prior art. Among other things, definition of the structure establishing the slot between the legs and the body, and the slot between the legs, has been clarified for insertion of the legs into adjacent pockets on the tool carrier. Such an arrangement and structure is not suggested or possible with the cited prior art.

In response to the rejection of claims 1-15, Applicant submits herewith a DECLARATION OF PRIOR INVENTION IN THE UNITED STATES OR IN A NAFTA OR WTO MEMBER COUNTRY TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. 1.131), and supporting Exhibits A-E, establishing Applicant's invention of the subject matter of claims 1-15 prior to the effective date (December 11, 2000) of Hedges.

Applicant believes that claims 1-15 patentably distinguish over the pertinent prior art remaining in the record.

In view of the foregoing, Applicant respectfully submits that the claims pending in the application are allowable, and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Keith Frantz", is written over a horizontal line.

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